



State of New Jersey  
Department of Environmental Protection and Energy

Environmental Regulation  
Hazardous Waste Regulation Program

CN 421

Trenton, NJ 08625-0421

Phone# 609-633-1418

Scott A. Weiner  
Commissioner

Frank Coolick  
Administrator

Michael McGowan  
J.M. Sorge, Inc.  
50 County Line Road  
Somerville, N.J. 08876

DEC 22 1992

RE: K. Hovnanian Co. of  
North Jersey, Inc.  
Newark, New Jersey

Dear Mr. McGowan:

In response to your letter(s) of November 5, 1992 for a Departmental opinion on the classification of approximately 2700 yards of soil from the referenced site with the exception of 300 yards of soil represented by sample 73669, please be advised that wastes which conform with the representative sample that provided the basis for data submitted to the Department are classified as dry industrial waste (I.D. #27) pursuant to the rules of the Hazardous Waste Regulation Element. Wastes conforming with the characteristics of the representative samples must be disposed at the facility authorized to accept dry industrial waste (I.D. #27) in accordance with the State waste flow rules as contained in N.J.A.C. 7:26-6 et seq.

Be further advised that this letter constitutes merely an advisory opinion on the applicability of current New Jersey waste classification standards to a specific representative sample of a waste stream. It expresses no opinion regarding any particular waste shipment to the extent that its characteristics and content differ from the representative sample of a waste stream.

Moreover, because the Department has not examined, inspected or analyzed the wastes you propose to dispose, this response does not constitute any representation as to the actual chemical composition of said material.

Accordingly, prior to disposal of this waste, you may wish to contact the selected disposal facility to establish an analytical protocol which will satisfy all concerned parties that current regulations allow for such disposal.

Page Two

Should you have any further questions regarding this matter, please contact David Schrier of this Bureau at (609) 292-8341.

Very truly yours,

*Norine Binder*

Norine Binder, Acting Chief  
Bureau of Adviseement and Manifest

PR14:nb

CLID27

c: Charles DeWeese

KHOV005652